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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,050	06/07/2007	Mitsuhiro Naito	129025	4166

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EXAMINER	
ANWARI, MACEEH	
ART UNIT	**PAPER NUMBER**
2451	

NOTIFICATION DATE	DELIVERY MODE
12/29/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/590,050	NAITO ET AL.	
	Examiner	Art Unit	
	MACEEH ANWARI	2451	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 September 2011*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5)☒ Claim(s) *8-10 and 14-16* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *8-10 and 14-16* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to communications filed on 09/13/2011. **Claim(s) 8-10 & 14-16** have been amended. **Claim(s) 1-7 and 11-13** have been canceled. No other claims have been amended, added, or canceled. Accordingly, **claim(s) 8-10 & 14-16** are pending.

Response to Arguments

2. Applicant's argument that **Ooi-kobayashi-Bautista** either alone or in combination fail to disclose a navigation module that determines whether the wake up mode is due to the ignition signal or due to the activation signal, has been considered but is moot in view of the new ground(s) of rejection.

3. However with respect to applicant's argument that **Ooi-kobayashi-Bautista** either alone or in combination fail to disclose acquiring its own IP address, generating a mail that contains this acquired IP address, and sending this mail to the external terminal that sent the activation signal by using the mail address of the external terminal; the examiner respectfully disagrees.

4. The examiner assert that **Ooi** discloses:

- Par. 104: comp. 1-1 acquiring an IP address and starting up its e-mail program (Fig. 8-9 and par. 104-107).
- Par. 109: shows that there is a letter head with the source (i.e., comp 1-1)
- IP address and a destination (i.e., comp. 1-2) IP address
- Par. 115- 117: shows the starting up of the communication program by opening the IP address file which is attached to the e-mail transmitted from

comp. 1-1 and in which the IP address of the comp. 1-1 is described in encrypted form; this address is decrypted and communication is established b/w the two computers.

Therefore the examiner maintains that the combination of **Ooi-kobayashi-Bautista** still reads on this limitation. For further clarification please refer to the rejection below.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 8-10 and 14- 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ooi (U.S. Pub. No.: 2003/0046402 A1)**, in view of **Kobayashi (2002-078033)** and further in view of **Sakurai et al. (hereinafter Sakurai, U.S. Pub. NO.: 2004/0122565 A1)**.

7. **As per claim 8**, **Ooi** discloses: a navigation system comprising a navigation apparatus and an external terminal that remotely controls this navigation apparatus, wherein:

the navigation apparatus comprises **(Ooi at least in Fig. 1-3 & 7; computer—as a navigation apparatus)**:

a memory that stores in advance a mail address of the external terminal **(Ooi at least in Fig. 1-3 & 7 and par. 95-112; computer with memory, cache**

memory, RAM and ROM and screen displays IP addresses, stores IP addresses in HDD as an IP address file);

a navigation module that generates mail **(Ooi at least in Fig. 8 -9 and par. 61, 66, 104-108, 112, 115, 116; communication program, electronic mail program [67A] and start up of e-mail program)**;

acquires its own IP address when it is determined that the wake-up mode is due to the activation signal, generates a mail that contains this acquired IP address, and sends this mail to the external terminal that sent the activation signal by using the mail address of the external terminal **(Ooi at least in Fig. 1-3, 7-8 & 10 and par. 61, 66, 105, 108, 112, 115, 116; communication program, electronic mail program [67A], electronic mail sent to computer 1-2 containing IP address of computer 1-1, and computer 1-2 replying back to electronic mail sent by computer 1-1 through the address—e.g., identification information—provided by computer 1-1 in initial message)**.

Ooi discloses the invention as detailed above.

Ooi further discloses a communication program starting up after receiving and opening of IP address file—implying that the communication program was in a non-activated/sleep mode prior to the start up **(Ooi at least in Fig. 1-3, 7-8 & 10 and par. 61, 66, 95, 105-106, 108, 112, 115, 116)**.

However **Ooi** does not appear to explicitly disclose a communication control module wake up means that switches the navigation module from a sleep mode to a wake-up mode due to an ignition signal of an automobile or an activation signal from the

external terminal; wherein the navigation module: determines whether the wake-up mode is due to the ignition signal or due to the activation signal.

In the same field of endeavor **Kobayashi** discloses a communication control module wake up means that switches the navigation module from a sleep mode to a wake-up mode due to an ignition signal of an automobile or an activation signal from the external terminal **(Kobayashi at least in Abstract; mount units in sleep state, controller reception means set in operation available way, units of the mobile body set in sleep state, receiving external signal and judgment means to determine validity, performance means set in operational available way in response to valid signal)**.

One of ordinary skill in the art at the time of the given invention would have been motivated to modify and/or combine **Kobayashi's** teachings of sending a valid external signal to remotely start operations in a mobile unit, with those of **Ooi's** to form a more dynamic and secure system (i.e., by determining the validity of a signal-–via a judgment/validation means).

Ooi-Kobayashi disclose the invention as detailed above, and furthermore discloses the starting up of e-mail program 54A (par. 106).

However, **Ooi-Kobayashi** does not appear to explicitly wherein the navigation module: determines whether the wake-up mode is due to the ignition signal or due to the activation signal.

In the same field of endeavor **Sakurai** discloses wherein the navigation module: determines whether the wake-up mode is due to the ignition signal or due to the

activation signal **(Sakurai at least in par. 37, 67 & 70; start factor determination means to distinguish whether activation is by signal of ignition switch or a wake up signal from an outside/external control unit)**.

One of ordinary skill in the art would have been motivated to modify and/or combine the teachings of **Sakurai's** start factor determination with those of **Ooi-Kobayashi's** to form a more efficient system (i.e., by providing an electrical control unit for an automobile with a smaller standby electric current).

8. **As per claim 9 Ooi-Kobayashi-Sakurai** further disclose**:** wherein: the memory is a first memory **(Ooi at least in Fig. 1-3 & 7; computer with memory, cache memory, RAM and ROM)**;

the navigation apparatus comprises: a second memory that stores in advance a fixed IP address of the navigation apparatus **(Ooi at least in Fig. 1-3, 7-8 & 10 and par. 105, 108, 115, 116; computer comprising multiple forms of memory and an IP address file with encrypted IP address)**; and

the navigation module reads and acquires the IP address that is stored in the second memory **(Ooi at least in Fig. 1-3, 7-8 & 10 and par. 105, 108, 115, 116; communication program, electronic mail program [67A], electronic mail sent to computer 1-2 containing IP address of computer 1-1 in encrypted form, IP address file with encrypted IP address and communication program decrypts encrypted IP address and continues communication)**.

One of ordinary skill in the art at the time of the given invention would have been motivated to modify and/or combine the teachings of **Ooi-Kobayashi-Sakurai**, in the instant claim for the same reasons and rationale as in **claim 8**.

As per claim 10 Ooi-Kobayashi-Sakurai further disclose**:** wherein: the navigation module acquires an assigned IP address from the external terminal that controls the navigation apparatus **(Ooi at least in Fig. 1-3, 7-8 & 10 and par. 105, 108, 115, 116; communication program, electronic mail program [67A], electronic mail sent to computer 1-2 containing IP address of computer 1-1 in encrypted form, IP address file with encrypted IP address and communication program decrypts encrypted IP address and continues communication)**.

One of ordinary skill in the art at the time of the given invention would have been motivated to modify and/or combine the teachings of **Ooi-Kobayashi-Sakurai**, in the instant claim for the same reasons and rationale as in **claim 8**.

9. As per **claims 14-1 6** they all list the same elements as those detailed in **claim 8-10** above and are therefore rejected using the same reasoning and rationale as in **claims 8-10**.

Prior Art

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. **Ilg (U.S. Pub. No.: 2005/0063504 A1)**, directed towards a circuit arrangement for detecting the state of at least one electrical switch.

b. **Smith (U.S. Pat. No.: 7782844 B1)**, directed towards a method and apparatus for pattern matching on single and multiple pattern structures.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MACEEH ANWARI whose telephone number is (571)272-7591. The examiner can normally be reached on Monday-Friday 7:30-5:00 PM ES.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.A.

/KAMAL B DIVECHA/
Primary Examiner, Art Unit 2451